



POLLUTION PREVENTION & THE BOTTOM LINE

JUNE 1998

WORDS & WISDOM FROM THE NEW ENGLAND ENVIRONMENTAL ASSISTANCE TEAM

EPA POLICIES ASSIST SMALL BUSINESSES WITH ENVIRONMENTAL COMPLIANCE

EPA has issued several policies to respond to the environmental compliance needs of small businesses. Under these policies, the Agency will protect the public health and the environment by providing small businesses with incentives to proactively pursue environmental compliance and pollution prevention activities.

Compliance Incentives

EPA's Policy on Compliance Incentives for Small Business provides small businesses with incentives to participate in on-site compliance assistance programs and to conduct environmental audits. Under this policy, EPA will eliminate or mitigate civil penalties provided the small business satisfies all of the following four criteria.

- ◆ The small business has made a good faith effort to comply with applicable environmental requirements (through on-site assistance programs or voluntary audits and disclosures).
- ◆ The small business was not subject to any enforcement actions pursuant to this policy for the current violation in the past three years and has not been subject to two or more enforcement actions for environmental violations in the past five years.
- ◆ The small business corrects the violation and remedies any associated harm within six months of discovery; an additional six months may be granted if pollution prevention technologies are being used.

◆ The violation has not caused and does not have potential to cause serious harm to the public health, safety or the environment; it does not have the potential to present imminent and substantial endangerment to public health or the environment; and it does not involve criminal conduct.

For more information on this policy, contact Karin Leff, Office of Compliance, at 202.564.7068.

Self-Auditing & Self-Disclosure

The Policy on Environmental Self-Auditing and Self-Disclosure provides businesses of all sizes with incentives to voluntarily discover, disclose and correct violations of environmental rules and regulations. Under this policy:

- ◆ EPA will not seek gravity based penalties and will not recommend criminal prosecution against the company if the violation results from the unauthorized criminal conduct of an employee (provided certain conditions of the policy are met).
- ◆ EPA will reduce gravity-based penalties by 75% when violations are discovered by means other than environmental audits of due diligence efforts, and are promptly disclosed and expeditiously corrected (also assuming certain conditions of the policy are met).

Under both scenarios, however, EPA may still recover economic benefits gained as a result of noncompliance.

For more information on this policy contact Brian Riedel at 202.564.5006.

Enforcement Response

The Enforcement Response Policy provides small business with a limited period to correct violations revealed during requested assistance from a State Small Business Assistance Program (SBAP) established under Section 507 of the Clean Air Act. Under this policy, two options are provided:

- ◆ SBAPs may offer small businesses a limited correction period for violations detected during compliance assistance. Small businesses may have up to 90 days to receive compliance assistance from the SBAPs, with the possibility of an additional 90 days to correct any violation discovered under this program. After that time, violations would be subject to existing enforcement policies.
- ◆ SBAPs may offer compliance assistance on a confidential basis. Under this option, the state retains the ability to investigate and/or take enforcement actions at any time for violations discovered independently from the Section 507 program.

For more information about this policy, contact Karin Leff at 202.564.7068 or Elliot Gilberg at 202.564.2310.

(Reprinted from EPA's Small Business Ombudsman Update Newsletter. To subscribe call toll-free 1.800.368.5888.)

MARK YOUR CALENDAR

JUNE 11

Waste Match Fair

Center of NH/Holiday Inn
Manchester, N.H.

1:30 p.m. to 3:30 p.m.

The 2nd Annual Business to Business Waste Match Fair will bring together businesses that generate all types of "waste" with businesses and organizations that can reuse these materials. More than 30 companies will display samples of their reuse materials and be available to discuss recycling and reuse opportunities. Presented by EPA and WasteCap of NH. For more information contact Mark Toussaint at 603.224.5388.

JUNE 17

Waste Prevention Pays: Business Cut Costs by Cutting Waste

Satellite Forum
various sites

11:00 a.m. to 1:00 p.m.

Companies that are successfully implementing money-saving waste prevention strategies will share their experiences in this live, two-hour satellite forum. Viewers will have the opportunity to ask questions and share their own experiences during the call-in portion of the program. Sponsored by EPA's Waste Wi\$e program. Free. For a listing of satellite forum downlink sites in New England visit the Waste Wi\$e internet site at www.epa.gov/wwwsatellite, call 1.800.EPA.WISE, or call Christine Bonica at 617.565.3251.

JUNE 18

Pay-as-You-Throw Solid Waste Workshop

MA Department of Environmental Protection
Boston, Mass.

8:30 a.m. to 4:00 p.m.

For communities interested in adopting a Pay-as-You-Throw (PAYT) program to cover solid waste costs. This workshop will teach local officials how to design PAYT rates that best meet their community's solid waste goals and needs. Free. Sponsored by EPA, MA DEP, and the International City/County Management Association. For more information call the Association at 202.962.3585 or MA DEP at 617.574.6875.

JUNE 22 - 26

Summer Safety Institute for Educators

Eastern Maine Technical College
Bangor, Maine

8:00 a.m. to 5:00 p.m.

This event is sponsored by the Maine Department of Labor and University of Southern Maine. This week long training will focus on topics such as: safety & health regulations, chemical and electrical safety, hazard recognition, and personal protective equipment, amongst other topics. Participants who complete the course will receive a 10-hour OSHA card, and may receive in state credits and CEUs. For further information about registration contact the NEEATeam at 1.800.90NEEAT and ask for Joan Jouzaitis or Lee MacMichael.

JUNE 23

RCRA Subpart CC: Organic Air Emission Standards for Containers & Tanks

Boston University Corporate Education Center
Tyngsboro, Mass.

8:30 a.m. to 4:00 p.m.

Control of organic air emissions is required under new RCRA regulations at all large quantity generators, and treatment storage and disposal facilities. This seminar will discuss organic air emission control for containers and tanks; waste analysis and waste determination for RCRA CC: exemptions; and, how to comply. Free. Sponsored by EPA. For more information call Jean Holbrook of EPA at 617.565.9048.

JUNE 24

Expecting Inspections: Environmental Compliance & Pollution Prevention for Municipal Highway Garages

Hotel Northampton
Northampton, Mass.

8:00 a.m. to noon

A workshop for garage supervisors, foremen, and mechanics. Find out what EPA and DEP inspectors look for and how to improve your operations and avoid regulatory problems. Strategies for preventing pollution, such as parts cleaning alternatives and methods for minimizing waste oil, will also be covered. Sponsored by EPA and the Massachusetts Office of Technical Assistance. Free. For more information contact Jack Healey of EPA at 617.565.3542.

JUNE 25

RCRA Subpart CC: Organic Air Emission Standards for Containers & Tanks

University of Hartford
Gray Conference Center
West Hartford, Conn.

See description for June 23.

JUNE 28 - 30

Education Reform & Its Impact on Your & Your Students

Best Western Royal Plaza Hotel and Conference Center
Fitchburg, Mass.

This conference for vocational/technical educators is being presented by the Professional Development Center at Fitchburg State College, in concert with the Mass. Department of Education Center for Career and Technical Education. There will be several speakers (including EPA) discussing environmental, health and safety issues in educational settings on June 30th. To obtain registration information, contact the NEEATeam at 1.800.90NEEAT and ask for Joan Jouzaitis or Lee MacMichael.

JULY 8

Expecting Inspections: Environmental Compliance & Pollution Prevention for Municipal Highway Garages

Holiday Inn

Taunton, Mass.

See description for June 24.

JULY 15

Expecting Inspections: Environmental Compliance & Pollution Prevention for Municipal Highway Garages

Royal Plaza Trade Center

Marlborough, Mass.

See description for June 24.

EPA HELPS IDENTIFY BUILDING PRODUCTS THAT IMPROVE ENVIRONMENTAL PERFORMANCE

A software program that identifies products that will reduce energy use and improve air quality and other environmental conditions in buildings is now available. The software program is called Building for Economic and Environmental Sustainability, or "BEES," and was developed by the National Institute of Standards and Technology with funding from EPA. It was developed as part of EPA's Environmentally Preferable Purchasing (EPP) program. EPA hopes that this new software program will help facility managers make decisions about how to purchase building products based on both cost and environmental considerations. The BEES program runs on a Windows-based system and requires 32 megabytes or more of RAM and 10 megabytes of available disk space. To purchase BEES, contact the U.S. Green Building Council, 90 New Montgomery St., Suite 1001, San Francisco, CA 94105, 415.543.3001, or order from the Council's Internet site at <http://www.usgbc.org>.

JULY 22

Expecting Inspections: Environmental Compliance & Pollution Prevention for Municipal Highway Garages

Holiday Inn

Tewksbury, Mass.

See description for June 24.

AUGUST 4

MACT Standard Workshop for the Aerospace Industry

Conn. Department of Transportation

Newington, Conn.

8:30 a.m. to noon

This workshop is for representatives of the aerospace industry as well as state and federal regulators. Topics covered will include: an overview of the MACT (Maximum Achievable Control Technology) Standard; sample calculations; and an inspector checklist. Free. Sponsored by EPA. For more information contact Janet Bowen, EPA, at 617.565.3049 or Susan Lancey, EPA, at 617.565.3587.

VISIT THE MATERIALS EXCHANGE WEB SITE

WasteCap of New Hampshire has combined the listings of the various Materials Exchanges throughout New England onto one web site. The site currently contains listings from the NH Materials Exchange, the Western MA Materials Exchange, the VT Business Materials Exchanges as well as contacts from all of the New England Materials exchanges. The site was developed under sponsorship from EPA. Visit the site at <http://www.wastecapnh.org/nemex>. Call Mark Toussaint at 603.224.5388 for additional information.

RESOURCE PACKET FOR SCHOOLS

The NEEATeam schools sector has available a resource packet for vocational/technical schools in New England. The packet includes information on hazardous waste regulations as they apply to schools, chemical storage and handling, chemical purchasing and donations, environmental management systems as well as library resources, a case study of environmental health and safety issues identified in one New England school system, and an organizational chart for EPA's Assistance and Pollution Prevention Unit. If you would like to receive a copy of these materials, please contact the NEEATeam at 1.800.90NEEAT.

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To be added to the *Pollution Prevention & the Bottom Line* mailing list or to notify us of a change of address please contact the NEEATeam at the phone/fax numbers or address listed above or send an e-mail message to:

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Read *Pollution Prevention & the Bottom Line* on the Internet at <http://www.epa.gov/region01/steward/neeat/>


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